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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA,)	No. CR-08-0216 CW
17 Plaintiff,)	GOVERNMENT'S SENTENCING
18 v.)	MEMORANDUM
19 CARLOS GARCIA-MORALES,)	Sentencing Date: August 6, 2008, 2:00
20 Defendant.)	p.m., The Honorable Claudia Wilken

21 Consistent with paragraph 8 of the parties' Rule 11(c)(1)(C) plea agreement,¹ the United
 22 States recommends a sentence of a term of imprisonment of 37 months' imprisonment; three
 23 years of supervised release (with conditions to be fixed by the Court, including a condition that
 24 the defendant not reenter the United States illegally); no fine; and \$100 special assessment.

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27 ¹Although the agreement states that parties believed that the defendant's criminal history
 28 was Category III, the parties, in fact, believed that the defendant's criminal history was Category
 IV; the agreed-upon sentence of 37 months' imprisonment was the bottom of the applicable
 Guidelines range.

1 DATED: July 31, 2008

Respectfully submitted,

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 /s/
5 CHRISTINE Y. WONG
6 Assistant United States Attorney

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